

February 18, 2014

The Marion County Council held their Council meeting, on Tuesday, February 18, 2014 at 9:00 A.M., in the City Council Chambers City Hall, Marion, South Carolina. (Due to the ice storm the February 11th meeting was cancelled). Members present were Buddy Collins, Chairman; Elista H. Smith, Vice Chairperson; John Q. Atkinson, Jr., Simon Jenkins, Thomas E. Shaw. Also present were G. Timothy Harper, Administrator; Charles L. McLain III, County Attorney; Sabrina Davis, Clerk to Council. A representative from the Star & Enterprise was present and duly notified.

Chairman Collins called the meeting to order and asked Councilman Simon Jenkins to lead the Invocation, after which he welcomed visitors and read the Freedom of Information Announcement.

Councilman John Q. Atkinson stated for the record that he had a written proxy from Councilman Allen W. Floyd voting in favor of all matters.

Motion was made by Vice Chairperson Smith, seconded by Mr. Atkinson, and carried unanimously, to approve as written, the minutes of the regular meeting held on January 23, 2014.

The County Attorney stated that first and second reading for the ordinances listed on the agenda as follows were ready: A. Second Reading of Ordinance #2014-01 An Ordinance Establishing the Exclusive Means of Providing Emergency Ambulance Services within Marion County and Establishing the Terms and Conditions Upon which Non-Exclusive Franchises May be Granted to Private Ambulance Services Operating in Marion County, and Establishing the Procedures for Applying for such Franchises, the Payment of Franchise Fees, the Period of Operation Granted by such Franchise, Renewal Procedures, and the Standards which will Apply to All Private Providers of Non-Emergency Patient Transport in Marion County, and the Standards Minutes, February 18, 2014, Page 2

Which Will Apply to all Private Providers that will perform Emergency Transfers of Patients from Marion County Medical Center in Marion County, and Establishing Appeals Procedures for the Denial or a Franchise Application, Disciplining a Franchise Denial of the Renewal of a Franchise, or the Termination or Restriction of Franchise Rights; Establishing Both Criminal and Civil Penalties for the Violation of this Ordinance, and Providing for the Right of the County Council to Seek Injunctive Relief to Prevent or Restrain Violations of this Ordinance, and Other Related Matters and Establishing this Franchise Agreement as a "Closed Franchise Agreement" By Limiting the number of Franchises Operating in Marion County. B. First Reading of Ordinance #2014-02 To Provide for the Issuance and Sale of a Not Exceeding Seven Hundred Fifty Thousand Dollar (\$750,000) Taxable General Obligation Bond of Marion County, South Carolina, To Prescribe the Purposes for Which the Proceeds of Said Bond Shall be Expended, to Provide for the payment of Said Bond, and Other Matters Relating Thereto. C. First Reading of Ordinance #2014-03 An Ordinance to Authorize the Lease of the Marion County Tax Parcel Number 121-00-00-033-000, more commonly referred to as the Old Marion County Landfill at Ariel Crossroads to Benjie Andrew for the sole purpose of cattle grazing under the terms of the lease attached hereto and made a part hereof.

The County Attorney told Council that item A. on the agenda; Second Reading Second Reading of Ordinance #2014-01 An Ordinance Establishing the Exclusive Means of Providing Emergency Ambulance Services within Marion County and Establishing the Terms and Conditions Upon which Non-Exclusive Franchises May be Granted to Private Ambulance Services Operating in Marion County, and Establishing the Procedures for Applying for such Franchises, the Payment of Franchise Fees, the Period of Operation Granted by such Franchise, Renewal Procedures, and the Standards which will Apply to All Private Providers of Non-Emergency Patient Transport in Marion County, and the Standards Which Will Apply to all Private Providers that will perform Emergency Transfers of Patients from Marion County Medical Center in Marion County, and Establishing Appeals Procedures for the Denial or a Franchise Application, Disciplining a Franchise Denial of the Renewal of a Franchise, or the Termination or Restriction of Franchise Rights; Establishing Both Criminal and Civil Penalties for the Violation of this Ordinance, and Providing for the Right of the County Council to Seek Injunctive Relief to Prevent or Restrain Violations of this Ordinance, and Other Related Matters and Establishing this Franchise Agreement as a "Closed Franchise Agreement" By Limiting the number of Franchises Operating in Marion County was ready: Mr. Atkinson advised the County Attorney to be very careful in reference to this ordinance. Mr. Atkinson stated that there can be a lot of liability passed on to the County. Mr. Harper told Council that there are several private services from all over servicing the County. He stated that it affects the local businesses in the County. Mr. Harper stated that this ordinance limits the number of private services that operates in the County. Mr. Joey Price the EMS Director told Council that the private services are soliciting patients and their only concern is the money not the patient's care. He stated that there are 11 Minutes, February 18, 2014, Page 3

different ambulance services operating in the County. Council discussed this said matter at great length. Vice Chairperson Smith stated that the patient has the right to choose their ambulance service. She wanted to make sure that the franchise agreement does not affect the patient's rights. Mr. Harper stated that the patient has the right to choose whoever is on the County's franchise list. Motion was made by Mr. Atkinson, seconded by Mr. Shaw, and carried unanimously, to approve second reading of Ordinance #2014-01.

The County Attorney told Council that item B. on the agenda; First Reading of Ordinance #2014-02 To Provide for the Issuance and Sale of a Not Exceeding Seven Hundred Fifty Thousand Dollar (\$750,000) Taxable General Obligation Bond of Marion County, South Carolina, To Prescribe the Purposes for Which the Proceeds of Said Bond Shall be Expended, to Provide for the Payment of Said Bond, and Other Matters Relating Thereto was ready: The County Attorney introduced the title of the ordinance and stated that this constitutes first reading of Ordinance #2014-02.

The County Attorney told Council that item C. on the agenda; First Reading of Ordinance #2014-03 An Ordinance to Authorize the Lease of the Marion County Tax Parcel Number 121-00-00-033-000, more commonly referred to as the Old Marion County Landfill at Ariel Crossroads to Benjie Andrew for the sole purpose of cattle grazing under the terms of the lease attached hereto and made a part hereof was ready: The County Attorney introduced the title of the ordinance and stated that this constitutes first reading of Ordinance #2014-03.

There were no reports given by Committee #1 or Committee #2.

The County Attorney had nothing to report.

The Administrator updated Council on the New Administration Building. Mr. Harper told Council that the work on the courthouse is moving forward.

The Administrator updated Council on the Capital Sales Tax. Mr. Harper told Council that construction documents for the Tollison and Elementary Gym will be delivered to the City of Marion for review. He also stated that several contractors have requested a re-inspection of the Nichols project. Mr. Harper also mentioned that today at 2:00 p.m. there will be a non-mandatory pre-bid conference at the Sellers Resource Center. He stated that Thursday, February 20<sup>th</sup> bids will be taken on the Nichols Town Hall/Library. The bid opening will be at 2:00 p.m. at the County's Administrative Office. He told Council that Mullins City Hall is in the process of being bid out.

The Administrator passed out copies of a letter from the SCDOT regarding the snow and ice storm. Mr. Harper stated that the SCDOT wanted to thank the County for their assistance during the recent inclement weather. Vice Chairperson Smith told Mr. Minutes, February 18, 2014, Page 4

Harper that the citizens should be informed on how the County assisted the SCDOT during the snow and ice storm.

The Administrator updated Council on the ice storm. Mr. Harper told Council that the EOC was open from Tuesday through Saturday. He stated that the County has dedicated staff manning the EOC including Brandon Ellis, Rhianna Herring, Samatha Jackson, John Richardson, Mike Jackson, Joey Price Benny Rowell and others. Mr. Harper stated that several generator problems and communication problems. He stated that the Road & Bridges staff has been working during the storm. Their first task was to assist the SCDOT in clearing the main corridors throughout the County. Mr. Harper stated that Council has approved a debris contract with Ash Britt. He stated that the issue is whether to activate the County's contract. He stated that once the contract is activated there will be a cost to the County. He stated that the Governor has requested a Public Assistance Declaration of Disaster, but it has not been approved in Washington. Mr. Harper asked Mr. Brandon Ellis to come forward to brief Council in reference to the ice storm.

Mr. Brandon Ellis reported to Council that the EOC was activated on Wednesday, February 12<sup>th</sup> at 07:00. A general population shelter was opened at Marion High School, and housed 65 shelterees at its peak. He stated that a special needs shelter was opened at Carolina's Hospital in Marion and was filled to capacity with 14 patients. He stated that the County experienced site failures at the Marion tower and Britton's Neck tower during the storm, due to generator and component failures. Mr. Ellis stated that during the peak of the storm, the County experienced approximately 22,000 power outages countywide. Current assessments estimate approximately 40,000 cy of vegetative debris across the County with a value of \$300,000. Public CoOp damages are estimated at \$350,000. The two combined damage assessments surpass the County Public Assistance threshold of \$115,000. He told Council that FEMA will be in Marion on Saturday February 22<sup>nd</sup> to conduct their preliminary damage assessment to validate the damages for a proposed disaster declaration. He stated that once a declaration is requested by Governor Haley, it could take up to 30 days to receive notification of a Presidential Declaration. If awarded, the County will receive a 75/25 cost share for debris removal operations at a minimum. It was the recommendation of the Administrator to activate the debris contract with Ash Britt and the monitoring contract with Thompson Consulting Services to begin the clean-up process. Motion was made by Mr. Atkinson, seconded by Mr. Jenkins, and carried unanimously.

The Administrator passed out a bid from Brock's Grading and Land Clearing in reference to Site Preparation for Hangar Development at the Marion County Airport. Mr. Harper told Council that there was only one bid in the amount of \$178,492.40. Mr. Harper asked Council's approval to award the contract for site preparation for hangar development to Brock's Grading and Land Clearing. Motion was made by Atkinson, seconded by Mr. Jenkins, and carried unanimously.

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The Administrator asked Council's approval on the Marion County Industrial Park Master Plan, which include the infrastructure layout. Motion was made by Mr. Shaw, seconded by Mr. Jenkins, and carried unanimously.

Vice Chairperson Smith asked Mr. Harper to add the job descriptions to his list. Mr. Harper told Vice Chairperson Smith that the job descriptions have been submitted. She also mentioned the performance improvement plan, and the evaluation process. Mr. Harper stated that the evaluations will begin before the budget process. He stated that the wage & salary, and the evaluation process will begin around March.

Motion was made by Vice Chairperson Smith, seconded by Mr. Shaw, and carried unanimously, to go into executive session for personnel and an economic development matter.

Motion was made by Mr. Shaw, seconded by Mr. Atkinson, and carried unanimously, to close executive session and reopen the regular scheduled meeting. Chairman Collins stated that no action was taken during executive session called for a personnel and an economic development matter.

(Chaplain Jenkins had to leave the meeting).

Motion was made by Mr. Atkinson, to authorize the County Attorney to prepare a reservation agreement on Project Marshall. The motion was seconded by Mr. Shaw, and carried unanimously.

There being no further business to discuss, motion was made by, Mr. Atkinson seconded by Mr. Shaw, to adjourn the meeting at approximately 11:14 A.M.

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Buddy Collins, Chairman

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Elista H. Smith Vice Chairperson

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John Q. Atkinson, Jr.

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(absent)

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Allen W. Floyd

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Simon Jenkins, Chaplain

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Thomas E. Shaw

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(absent)

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Milton W. Troy, II

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G. Timothy Harper, Administrator

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Charles L. McLain, III County Attorney

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Sabrina Davis, Clerk to Council